

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PROOF OF SUMMONS

Mark N. Fellenz
PLAINTIFF

v.

CIVAL ACTION

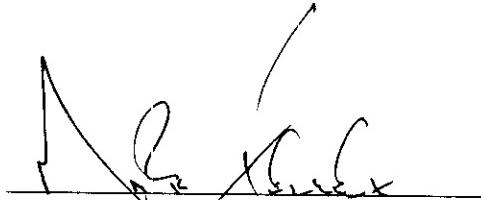
Enkata Technologies
DEFENDANT

NO. 04-10563 PBS

FILING

1. Mark Fellenz ("Plaintiff") hereby files the attached as proof that Summons was executed against Enkata Technologies ("Defendant") on December 7, 2004. Summons was accompanied by the original Complaint and first Amendment as ordered. Defendant, thereby, has by the terms of the Summons until the close of business December 27, 2004, twenty (20) days from the day summons was executed (exclusive of the day of service), to respond or face default judgment for the relief demanded in the Complaint.

Signature



Name MARK FELLENZ, PRO SE
Address 95 LANGLEY ROAD #1
 NEWTON CENTER, MA 02459
Telephone 857-205-5742 (cellular)

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|---|----------------------|------------------------------|------------------|-------------------------------------|
| <i>Attorney or Party without Attorney:</i> FELLENZ, MARK N. MARK N. FELLENZ 95 LANGLEY ROAD #1 NEWTON, MA 02459 Telephone No: 857-205-5742 | | <i>For Court Use Only</i> | | |
| <i>Attorney for: Plaintiff</i> | | <i>Ref. No. or File No.:</i> | | |
| <i>Insert name of Court, and Judicial District and Branch Court:</i> United States District Court Of The District Of Massachusetts | | | | |
| <i>Plaintiff:</i> MARK N. FELLENZ | | | | |
| <i>Defendant:</i> ENKATA TECHNOLOGIES | | | | |
| PROOF OF SERVICE SUMMONS CIVIL/CASE | <i>Hearing Date:</i> | <i>Time:</i> | <i>Dept/Div:</i> | <i>Case Number:</i> 04-10563-PBS |

1. At the time of service I was at least 18 years of age and not a party to this action.
 2. I served copies of the SUMMONS IN A CIVIL CASE; COMPLAINT; AMMENDMENT
 3. a. *Party served:* ENKATA TECHNOLOGIES BY SERVING
b. *Person served:* SAMUEL HAGEMAN, CONTROLLER-AUTHORIZED TO ACCEPT(White Male 50 Years Old, White Hair, Glasses Eyes, 5 Feet 9 Inches, Medium Build)
 4. *Address where the party was served:* 2121 SO. EL CAMINO REAL SUITE 1200
SAN MATEO, CA 94403
 5. *I served the party:*
 - a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Tue., Dec. 07, 2004 (2) at: 6:00PM
 7. **Person Who Served Papers:**
 - a. KATHLEEN KING
 - d. *The Fee for Service was:* Recoverable Cost Per CCP 1033.5(a)(4)(B)
 - e. I am: (3) registered California process server
 - (i) Employee
 - (ii) Registration No.: 2004-0000849
 - (iii) County: San Francisco
 - (iv) Expiration Date: Wed, Feb. 01, 2006
- A & A LEGAL SERVICE**
- 1541 Bayshore Hwy. GENERAL@AALEGALSERVICE.COM
Burlingame, CA 94010-1602 Fax (650) 697-4640
(650) 697-9431

8. *I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.*

Date: Wed, Dec. 08, 2004